

**Section III:**  
**AMENDMENT UNDER 37 CFR §1.121 to the**  
**DRAWINGS**

No amendments or changes to the Drawings are proposed.

**Section IV:**  
**AMENDMENT UNDER 37 CFR §1.121**  
**REMARKS**

**Reconsideration of Previous Rejections**

We appreciate the Examiner's reconsideration and withdrawal of the Rejections 35 U.S.C. §112, and withdrawing the rejections under 35 U.S.C. §102 over Gatarski '98 and '99.

**Rejections under 35 U.S.C. §103(a)**

Regarding the rejections over Gatarski '98 and '99 in view of newly-cited Lazarus, we respectfully disagree with the Examiner's conclusions and interpretations of the cited references. We respectfully maintain our previous arguments regarding the teachings of Gatarski '98 and '99, and, for brevity of the examination record, we incorporate those previous arguments into the present reply by this reference.

We respectfully request the Examiner to reconsider our method of combining a first image file of a human model with a second image file of a background subject matter. Our combination yields a *single* image file which is transmitted to the web browser. Please see step #39, our paragraphs 0039 - 0040, and our Claims 1 and 8 as originally filed.

We are amending our paragraphs 0039 and 0049 (numbering as pre-grant published) to explicitly include the term "single". This is consistent with Claim 1 as originally filed, and because claims are part of the disclosure, this does not constitute new matter. And, this clarification to the text is further supported by singular references to "*a* composite advertisement object" (¶0039) and "*the* composite advertisement object" (¶0040).

Gatarski selects multiple objects, but their selected multiple objects are not combined *before* sending to the web browser. Presumably Gatarski is transmitting to a normal, well-known web browser. It is well known that when a web browser receives multiple images for a single web page, it prepares a viewable screen image in video memory which might be construed as "overlying" some of the images on top of others (e.g. pop-ups, etc.). However, there is no image processing for edge smoothing performed in such standard web browsers as we have claimed. Our image processing to blend the overlaid image onto the top of the background image causes the new, single image to have the appearance of a single, prepared advertisement.

As such, we believe one ordinarily skill in the art would not interpret or be enablingly taught our claimed process by Gatarski's multiple transmitted images displayed in on a single web page – Gatarski's multiple ads would not have the appearance of a single advertisement object, they appear to be separate and disparate web objects.

Lazarus is also silent regarding this type of processing two images into one image before transmitting to a web browser.

We believe that Gatarski's general invitation to do future work would have been insufficient suggestion to one ordinarily skilled in the art to do the specific exploration, imagination, design, experimentation, and development for a process to render a single advertisement object containing a demographically matched human model image overlaid and smoothed into a subject-relevant background as we have claimed.

For these reasons, we respectfully request reconsideration and allowance of Claim 1.

**Request for Indication of Allowable Subject Matter**

We believe we have responded to all grounds of rejection and objection, but if the Examiner disagrees, we would appreciate the opportunity to supplement our reply.

We believe the present amendment places the claim in condition for allowance. If, for any reason, it is believed that the claim is not in a condition for allowance, we respectfully request constructive recommendations per MPEP 707.07(j) II which would place the claim in condition for allowance without need for further proceedings. We will respond promptly to any Examiner-initiated interviews or to consider any proposed examiner amendments.

Respectfully,

*/ Robert Frantz /*

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